

New § 127 also contains transition language which governs how the recycled materials exemption is intended to affect Superfund liability in pending or concluded actions. § 127(i) provides that the exemptions from CERCLA liability shall not affect any concluded judicial or administrative action or any pending judicial action initiated by the United States prior to enactment. One reason for this amendment is to ensure that where a judicial or administrative action has been fully complied with, this bill will not force persons who believed that they had fully settled their liability and claims to revisit those issues.

However, where a consent decree or other judicial order requires enforcement of its terms after the date of enactment, nothing in this section should be interpreted to prevent a person subject to such future enforcement from revisiting the validity of those future obligations in light of the passage of this legislation. § 127(i) should not be interpreted as leading to the fundamentally inequitable result that a person could be forced at some future date to take actions to abide by a consent decree where the legal predicate for the consent decree has changed so substantially that it no longer has a foundation in federal law or conflicts in part with federal law. Congress does not intend the transition language to overrule Supreme Court precedent holding that "parties have no power to require of the court continuing enforcement of rights the statute no longer gives." *System Federation No. 91 v. Wright*, 364 U.S. 642, 652 (1961). Nothing in this legislation prevents parties from filing motions under rule 60(b) of the Federal Rules of Civil Procedure to re-open the consent decree with respect to future obligations.

PERSONAL EXPLANATION

HON. JAMES H. MALONEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, November 22, 1999

Mr. MALONEY of Connecticut. Mr. Speaker, I was unavoidably detained during rollcall vote No. 605. Had I been present I would have voted "no" on rollcall No. 605.

SALUTING THE CAREER OF CHIEF DAVID P. NEWSHAM SERVING BURBANK AND THE SURROUNDING COMMUNITIES FOR NEARLY 3 DECADES

HON. JAMES E. ROGAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 22, 1999

Mr. ROGAN. Mr. Speaker, today our country is stronger, more secure, and safer than it was just a few short years ago. Nowhere is this more true than in my own district. Today, the City of Burbank and the surrounding communities are among the safest areas in the country. The unique quality of life in my district is due in no small part to the efforts of one distinguished public servant. And today, I ask my colleagues to join me in saluting him as he

celebrates his retirement—Chief David P. Newsham.

Chief Newsham has been committed to public service for nearly three decades. A native of Long Beach, California, he served in the Air Force for four years and graduated from the University of Redlands with a degree in Management. In 1970 he joined the ranks of the Burbank Police Department as a Reserve Officer. In 1972, he earned his badge as a sworn officer. He would go on to serve in all three divisions of the department—administration, investigation, and as a uniformed patrol officer—gaining invaluable experience that would serve him later as the department's Chief.

In many cities the Police Chief is an appointed administrative role, but not in Burbank. Chief Newsham has distinguished himself throughout the community as a man who is dedicated to making our hometown a better place to live through his own deeds. He is a committed volunteer with the Boy Scouts of America, the Burbank YMCA, the Burbank Kiwanis Club, the American Red Cross and a host of other civic and law enforcement associations.

What's more, he has made community service and accountability a hallmark of his administration. Chief Newsham was instrumental in establishing the Departmental Air Support Program—linking Burbank with nearby communities through a joint air patrol service. He implemented innovative agility and fitness programs for all Burbank officers, and played a key role in the development and completion of the city's new joint Police-Fire headquarters facility.

And Mr. Speaker, I am proud to say that I am not the only resident of Burbank to attest to his success as Chief of Police. As the Los Angeles Daily News recently reported, when David Newsham took over the reins as Chief, the city's Elmwood area was riddled with gang activity. Under his leadership, the city took immediate action and, with the help of the courts and community volunteers, cleaned up the Elmwood neighborhood. Today, in the Chief's own words, "the problem down there is gone."

As with all men and women in uniform, the Chief's service extends beyond his daily work in uniform. He is a committed community activist and volunteer, proving that the true meaning of public service is to give back more than we received from our community. As he retires from the Burbank Police Department, Chief Newsham leaves the community a stronger, safer and more prosperous community than it was when he began. In recognition of his nearly three decades of service, and as thanks from a grateful resident of Burbank, I ask my colleagues to join me in saluting the service of Chief David P. Newsham.

TRIBUTE TO SISTER DAMIEN

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, November 22, 1999

Ms. KAPTUR. Mr. Speaker, I wish to extend my profoundest condolences to the Sisters of St. Francis and all of the friends of our dear,

beloved Sr. Damien, upon her passing from this life into the next. Sister Mary Damien was a treasured friend and gifted educator in Toledo, Ohio. She was an absolute inspiration, a master craftswoman of teaching, a singularly focused and dedicated educator.

To watch Sr. Damien practice her craft was pure joy. She knew every trick to command the attention of students and to grade them on an infinite variety of skills she hoped they would come to master. I recall, as an adult, visiting her class at Central Catholic High School with a former classmate from Little Flower Grade School, which was attended when Sister Damien was our teacher and principal. As we observed her work with her Geometry students, we remembered and reveled in the moment. She was unrivaled in her trade.

She kept a black notebook on her desk, with the name of each student in it. As the months of the school year went by, there appeared thousands of crosshatches aside each student's name, indicating that student's performance on technical material as well as other measures of performance. Those notebooks were as detailed as the program for the Mars launch. She graded students for everything—from participation to effort to appearance. Though one could never be certain what all the categories were, every student knew there was always room for improvement. I can still hear her teaching students how to spell commonly misspelled words, and remember the distinction she drew between "pupil" and "student" as she tried to get young minds to grow. She had a unique ability to challenge her students to exercise "the gray matter between the ears" even as she never stopped using hers. She embodied a living metaphor for lifelong learning.

Sr. Damien always wore her habit, a most pious Sister of St. Francis. She never pushed religion, but she lived her vows every day. Her holiness and piety moved with her. I must also offer public gratitude to her for her abiding kindness to our family, through good times and those that were difficult. She was always there for us, and I am sure, for countless others. She lived for others, and it was a double joy to know her as we, her students, became adults and shared the wonderful gift of a lifespan together.

Sister Mary Damien was a stern task master, yet beloved by all of her students. We consider ourselves many times blessed to have known her and been helped to grow through her tutelage. What she selflessly gave to all of us—literally thousands of students who were fortunate to sit at her knee—is priceless. Her contributions to others will live through the people she helped to advance educationally and spiritually. What a legacy she has left as she served Christ and our Blessed Mother as a Sister of St. Francis.

**HONORING ONE OF AMERICA'S
FINEST: ISAAH HILLARD PILLORS**

HON. JUANITA MILLENDER-McDONALD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 22, 1999

Ms. MILLENDER-McDONALD. Mr. Speaker, I rise to honor a very distinguished gentleman